

Assembly Bill No. 798

Passed the Assembly September 9, 1999

Chief Clerk of the Assembly

Passed the Senate September 7, 1999

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 1999, at _____ o'clock ____M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend, repeal, and add Section 41841.6 of the Education Code, relating to education of prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 798, Wildman. Education of prisoners.

Existing law sets forth a formula for the calculation of average daily attendance for schools or classes for adults in correctional facilities, and provides that a school district or county boards of education may not claim or report any increase in average daily attendance in excess of the authorized limit of adult education average daily attendance unless the Legislature approves the increase for that fiscal year in the annual Budget Act.

This bill would revise the formula for the calculation of average daily attendance for schools or classes for adults in correctional facilities for the 2000–01 fiscal year, the 2001–02 fiscal year, and each fiscal year thereafter.

The people of the State of California do enact as follows:

SECTION 1. Section 41841.6 of the Education Code is amended to read:

41841.6. (a) Except as otherwise provided in subdivision (b) of Section 46191, commencing with the 1994–95 fiscal year, and for each fiscal year thereafter, for purposes of Sections 1909 and 41841.5, the calculation of the average daily attendance for schools or classes for adults in correctional facilities is subject to the following condition: A school district or county board of education shall not claim or report any increase in average daily attendance in excess of the percentage authorized by subdivision (c) of Section 52616.17, unless the Legislature approves the increase for that fiscal year in the annual Budget Act.

(b) No state funds shall be allocated to a school district or county board of education for units of average daily



attendance that have not been approved by the Legislature pursuant to subdivision (a).

(c) This section shall become inoperative on July 1, 2000, and as of January 1, 2001, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2001, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. Section 41841.6 is added to the Education Code, to read:

41841.6. (a) Except as otherwise provided in subdivision (b) of Section 46191, for the 2000–01 fiscal year, for purposes of Sections 1909 and 41841.5, the calculation of the average daily attendance for schools or classes for adults in correctional facilities is subject to the following condition: Notwithstanding any other provision of law, a school district or county board of education may not claim or report average daily attendance in excess of the greater of the following:

(1) The average of the average daily attendance claimed and authorized pursuant to this article during the six prior fiscal years.

(2) The average daily attendance claimed during the prior fiscal year.

(b) Except as otherwise provided in subdivision (b) of Section 46191, commencing with the 2001–02 fiscal year and each fiscal year thereafter, for purposes of Sections 1909 and 41841.5, the calculation of the average daily attendance for schools or classes for adults in correctional facilities is subject to the following condition: Notwithstanding any other provision of law, a school district or county board of education may claim or report the maximum amount authorized for the prior fiscal year multiplied by 1.025, unless the Legislature approves a greater increase for that fiscal year in the annual Budget Act.

(c) No state funds shall be allocated to a school district or county board of education for units of average daily attendance that have not been approved by the Legislature pursuant to subdivision (a) or (b).

(d) This section shall become operative on July 1, 2000.



Approved _____, 1999

Governor

